

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) No. 3:08-CR-107
V.)
)
RALPH T. O'NEAL,)
)
Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This cause came before the Court on August 21, 2008, for an arraignment on the Superseding Indictment [Doc. 27]. Assistant United States Attorney David C. Jennings appeared on behalf of the government. Attorney Jonathan D. Cooper appeared on behalf of Defendant O'Neal, who was also present. Attorneys for Defendant O'Neal's four codefendants were present to take up scheduling matters for their clients. The Court reset the trial to April 7, 2009, and set a new motion-filing deadline for September 26, 2008.

On August 8, 2008, Defendant O'Neal had moved [Doc. 20] for a detention hearing. The Court granted this motion [Doc. 24] and ruled that it would address the detention issue at the August 21, 2008 hearing. On August 20, 2008, Defendant O'Neal moved [Doc. 47] to continue the detention hearing, contending that he needed additional time to obtain medical records and other necessary information upon which he intends to rely. At the August 21 hearing, the Court found this motion to continue the detention hearing to be well taken, **GRANTED** the motion [Doc. 47], and

reset the detention hearing for **September 22, 2008, at 9:30 a.m.**

With regard to Defendant O'Neal's pending Motion for Leave to File Additional Motions [Doc. 21] filed on August 4, 2008, the Court reset the motion-filing deadline for all defendants in this case to September 26, 2008. Defendant O'Neal asks for leave to file unspecified future motions if his ongoing investigation of the case reveals that they are necessary. Because the Court has already extended the time for filing motions, Defendant O'Neal's Motion for Leave to File Additional Motions [Doc. 21] is **DENIED as moot**. Defendant O'Neal's other pending motions: Motion for Bill of Particulars [Doc. 16], Motion to Suppress Statement of Defendant and Request for Evidentiary Hearing [Doc. 18], and Motion for Federal Agents to Retain Rough Notes [Doc. 19] will be taken up along with any other motions filed by the defendants at the motion hearing on October 30, 2008, at 9:00 a.m.

Accordingly, it is ordered:

- (1) Defendant O'Neal's Motion to Continue Detention Hearing [Doc. 47] is **GRANTED**,
- (2) The detention hearing is reset to commence on **September 22, 2008, at 9:30 a.m.** before the undersigned, and
- (3) Defendant O'Neal's Motion for Leave to File Additional Motions [Doc. 21] is **DENIED as moot**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge